

## REMARKS

Reconsideration of the application in light of the following amendments and remarks is respectfully requested.

## Status of the Claims

Claims 1-3 are pending in this application. Claim 2 has been amended to properly depend from claim 1. No new matter has been added by this amendment.

### **Rejection Under 35 U.S.C. § 103**

Claims 1-3 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over the combination of European Patent No. 540,058 to Osawa et al. (“Osawa”), U.S. Patent No. 4,557,944 to Arai et al. (“Arai”), U.S. Patent No. 5,679,473 to Murayama et al. (“Murayama”) and U.S. Patent No. 6,477,118 to Awano et al. (“Awano”). Applicants respectfully traverse this rejection.

The Examiner contends that Osawa discloses most of the features of the claimed invention. The Examiner acknowledges that Osawa does not disclose: “exposure to an atmosphere of oxygen-containing gas; magnetic layers may be repeated multiple times; [and] ferromagnetic grains and grain boundaries surrounding the grains.” (Office Action, item 2, page 3.) However, the Examiner relies on Arai, Murayama, and Awano as disclosing these features.

Applicants submit that that combination of Osawa, Arai, Murayama, and Awano, does not produce the same result as independent claims 1 and 3.

The repeating step of claims 1 and 3 results in a magnetic recording medium having “a laminate structure in which each of [the] magnetic layer components . . . is sandwiched by two of the oxide layers.” (Specification, page 9, lines 1-4, and Figure 2(b).) The Examiner contends that Awano discloses that “magnetic layers may be repeated multiple times.” (Office Action, item 2, page 4.) However, Awano does not disclose or suggest a structure in which the magnetic layer is sandwiched by two oxide layers. Rather, Awano discloses that “it is also possible for the recording

layer 6 to use other known magneto-optical recoding materials such as an alternating stacked material composed of Pt film and Co film, and garnet based oxide magnetic material.” (Awano, column 16, lines 30-34.) Thus, Awano merely discloses multiple layers of Pt film and Co film, and does not disclose multiple magnetic layers, as recited by the claimed invention.

Furthermore, even if Awano discloses multiple magnetic layers (which Applicants assert that he does not), the layered structure does not sandwich the magnetic layer between two oxide layers. Awano does not disclose alternating oxide layers and magnetic layers, as recited by the claimed invention. Therefore, Awano does not teach or suggest the “sandwich” structure of the claimed invention, nor does Awano achieve the advantages that result from the “sandwich” structure, including improving “the coercive force  $H_c$  . . . by more than 200 Oe and the SNR by 1.0 dB.” (Specification, page 22, lines 22-25.)

Moreover, Awano states that the coercive force is lowered by “utilizing the temperature characteristic of the coercive force of a magnet material.” (Awano, column 1, lines 37-40; column 4, lines 58-62; and column 25, lines 13-24.) Thus, Awano clearly does not contemplate the advantages achieved by sandwiching a magnetic layer between two oxide layers, but only teaches rely upon the known temperature characteristics of the coercive force.

Neither Osawa, Arai, nor Murayama disclose or suggest sandwiching each magnetic layer component by two oxide layers. Thus, the combination of Osawa, Arai, Murayama, and Awano does not disclose or suggest the structure of layers recited by the claimed invention. Therefore, Applicants submit that the Examiner has failed to make out a *prima facie* case of obviousness.

With respect to claim 2, by virtue of its dependency from claim 1, claim 2 is not obvious in view of the combination of Osawa, Arai, Murayama, and Awano for at least the reasons discussed above with respect to claim 1.

Thus, for at least the reasons discussed above, Applicants submit that the claims 1-3 are not obvious in view of the combination of Osawa, Arai, Murayama, and Awano. Applicants respectfully request reconsideration and withdrawal of this rejection.

## CONCLUSION

Each and every point raised in the final Office Action dated August 10, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-3 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: November 3, 2006

~~Respectfully submitted,~~

By \_\_\_\_\_

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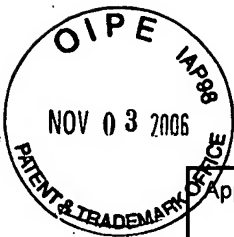
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